

October 6, 2009

Our File No.: 06.3883

By E-Mail – Regular Mail

Chair and Members of Regional Council
Region of York
York Region Administration Building
17250 Yonge Street, 4th Floor
Newmarket, ON L3Y 6Z1

Attention: Denis Kelly, Regional Clerk

Dear Mr. Kelly:

Re: Region of York Draft Official Plan

We are solicitors for Minotar Holdings Inc. owners of approximately 210 acres of land between Kennedy Road and McCowen Road, north of Major McKenzie Drive, in Markham (the “Lands”). An air photo of the Minotar Lands is attached at Schedule A.

The Lands are primarily comprised of tablelands used for agricultural purposes, with natural heritage elements related to the Robinson Creek. A portion of the Lands are within the Greenbelt.

On Minotar’s behalf, we reviewed the Region of York Draft Official Plan (the “Draft OP”) with particular attention to the mapping and policies related to natural heritage matters. We have received expert advice in this exercise through Minotar’s natural heritage consultants, Natural Resources Solutions Inc. (“NRSI”). A detailed, site level review of the Lands has been undertaken by NRSI using the Ecological Land Classification model. A map which demonstrates the outcome of this analysis is attached as Schedule B.

Significant Woodlands

“Significant Woodlands” are identified on Draft OP Map 5. Based on detailed site level analysis, it is evident that there are at least four areas on the Minotar Lands which have been designated as “Significant Woodland” where no feature exists. Accordingly, we hereby request that the Map 5 of the Draft OP be corrected to reflect the more accurate information shown in Schedule B.

Key Hydrologic Features

Key Hydrologic Features are shown on Draft OP May 4. This map identifies a “Wetland” and a “Waterbody” on the Lands.

A provincially significant wetland (PSW) has been delineated by the Ministry of Natural Resources (MNR) on the Lands. We note that on the basis of the detailed site level analysis of the Lands by NRSI, the MNR Wetland boundaries are inaccurate. Please confirm that should the Ministry of Natural Resources and/or Conservation Authority revise the mapping of the PSW based on the more accurate and current information obtained by the owner, that an amendment to the Regional Plan would not be required to address the revised boundary.

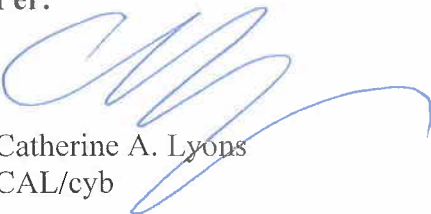
With respect to the “Waterbody” identified in the Region’s draft OP, on a number of maps including Draft OP Map 4, we note that the correct feature identification should be “Watercourse”. Accordingly we hereby request that the Draft OP be corrected to accurately show the Watercourse and not a Waterbody.

We note that the Town of Markham staff has been provided with the results of the natural heritage analysis of the lands as shown on Schedule B to this letter. Markham staff has advised it will update its mapping as appropriate.

It is critical that the errors noted above in the draft Official Plan be corrected prior to adoption of the plan. We look forward to receiving corrected maps for our review.

Yours very truly,
GOODMANS LLP

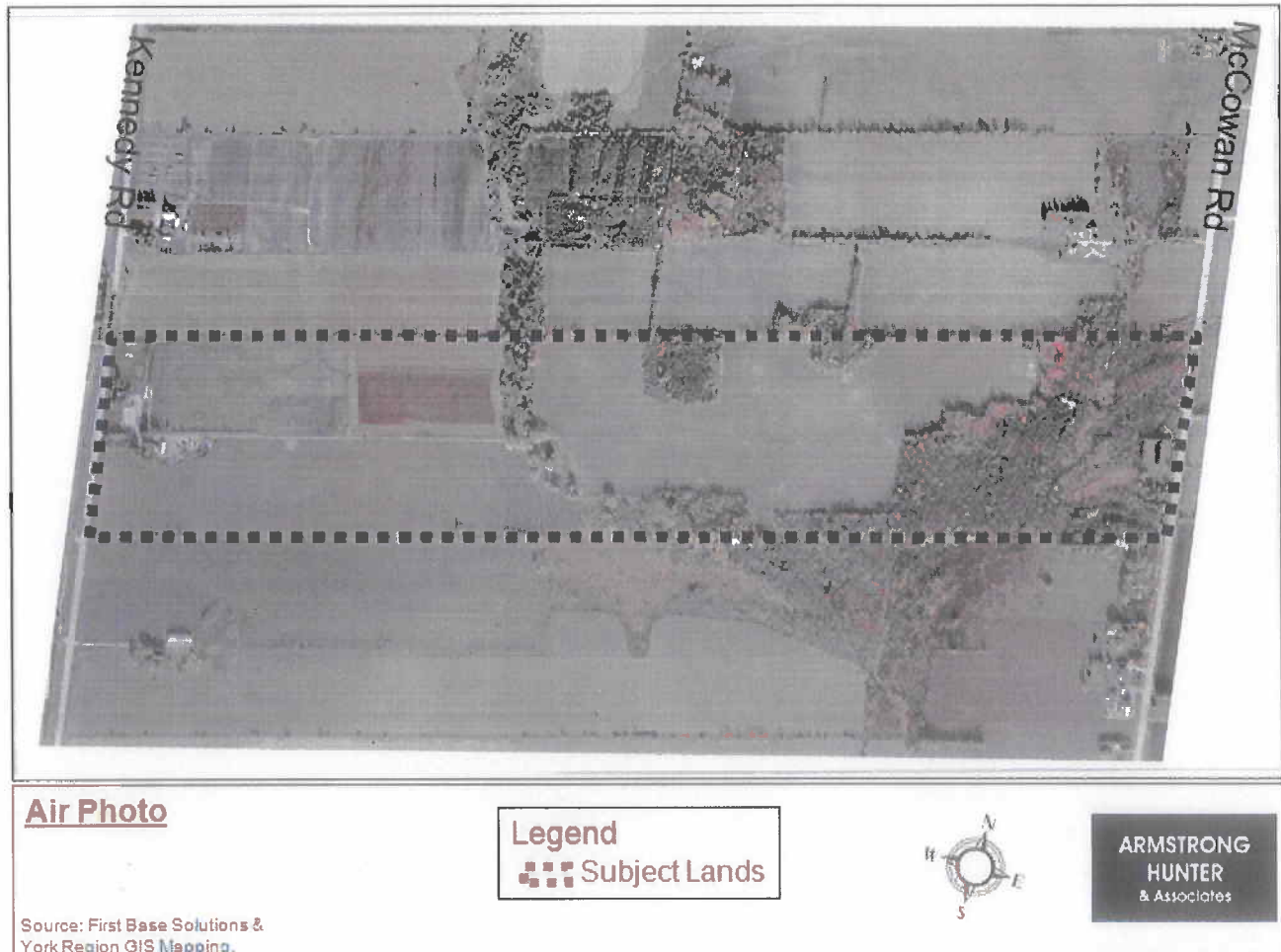
Per:



Catherine A. Lyons
CAL/cyb

c.c. Jim Baird
Paul Bottomly

Schedule A: Air Photo



Schedule B: Site Level Analysis

